

In re: Eyman, 18-14536-MLB

EXHIBIT 1

to Declaration of Susan Edison
in Support of State's Reply
Regarding Objections to Claimed Exemptions

1 UNITED STATES BANKRUPTCY COURT
 2 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

3 _____
 4 In re:)
 5 TIMOTHY DONALD EYMAN,) No. 18-14536
 6 Debtor.)
 7 _____

8 TRANSCRIPT OF THE DIGITALLY-RECORDED RULING

9 BY THE HONORABLE MARC. L. BARRECA

10 DECEMBER 16, 2021
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 22 Transcribed by: Robyn Oleson Fiedler
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1 If the Mukilteo House is determined to be property of the
2 estate and a sale needs to be effectuated, then under
3 Section 608 of the Plan, the Chapter 7 trustee will
4 administrative that asset.

5 Additionally, if the case is converted to a
6 Chapter 7, other assets may become property of the estate.
7 Section 6.13 of the Plan states, "If upon further motion or
8 hearing, this case is converted to a case under Chapter 7 of
9 the code, all property, whether residing in the estate or
10 acquired by the Debtor during the pendency of the Chapter 11
11 case, as provided under Section 541 of the Bankruptcy Code,
12 shall automatically vest in the Chapter 7 bankruptcy
13 estate." Docket number 270. Although it is unclear whether
14 any such assets exist.

15 Moreover, the terms of the Plan would appear to
16 clarify that if the Mukilteo House was ever property of the
17 bankruptcy estate, it is property of the converted Chapter 7
18 estate, regardless of whether the case was closed and
19 reopened.

20 Therefore, I conclude that it is in the best
21 interests of creditors for the case to convert to Chapter 7.
22 Having decided that it is in the best interests of creditors
23 to convert the case to Chapter 7, I'm not going to presently
24 rule on whether the plan revisions allowing the State to go
25 forward with its state law remedies, including recordation